

# NOMOREPOWERTOP.S.BOARD

## JOINT COMMITTEE LIKELY TO INVESTIGATE THEM

And Report Whether or Not They Should Supervise the Telegraph and Telephone Companies.—Mr. Choate Says They Have Too Much Power Already.

ALBANY, April 14.—Practically as a result of the warnings sounded by Joseph H. Choate and George A. Post of New York city, the president of the Railway Business Association, that the public service corporations of the State must not be harassed by legislation for a while if they are to recover from the results of the recent business depression the legislative leaders to-night decided that the amendments to the public service law giving further drastic powers to the Public Service Commission shall not be passed until they have been thoroughly considered by the Legislature. To accomplish this end a resolution will be introduced for passage in the Senate and Assembly to-morrow providing for the appointment by Speaker Wadsworth and Lieut.-Gov. White of a special joint committee of Senators and Assemblymen to consider the amendments to the public service law desired by the Public Service Commission and the question as to whether or not the jurisdiction of the Public Service Commission should be extended over telephone and telegraph companies. This special committee is to sit during the summer and fall and report upon the question to the next Legislature.

Mr. Choate, representing the receivers of the New York city street railroads that are now in the hands of receivers, argued against giving the Public Service Commission any more power over the public service corporations than they now have. If these properties are to be rescued from the financial difficulties in which they now rest, the occasion was the hearing before the Senate Judiciary Committee on the drastic amendments to the public service law recommended by the commission.

George A. Post and Otis G. Cutter, representing the Railway Business Association, also opposed the amendments. Mr. Post presented an effective review of the operations of the Public Service Commission and the result of the financial panic of a year ago upon the railroad properties of the State.

Mr. Choate contended that the Public Service Commission had already gone beyond any reasonable power presumed to be vested in a subordinate body. The Legislature could delegate its powers, but he declared that a subordinate body had no right to repeat statutes and legislate practically as it saw fit. The Public Service Commission, Mr. Choate declared, had attempted to do so much, had scrambled over everything and everybody to do more than the people ever suspected they would dare attempt, with the result that they had done nothing good. He never believed that five men could be picked out from private life and made to grasp all the questions of the business of everybody but themselves in such a short time. The New York commission was learning how to do things by experience and the city of New York was contributing \$1,300,000 a year for this tuition.

I insist, and there are thousands of people who will agree with me," said Mr. Choate, "that the Public Service Commission already have altogether too much power. They haven't the slightest conception for anybody but the question of life and grasp all the questions of the business of everybody but themselves in such a short time. The New York commission was learning how to do things by experience and the city of New York was contributing \$1,300,000 a year for this tuition.

Mr. Choate declared it was true that the roads he represented were in the hands of receivers and that they were not going to remain there, he said "if we are willing to let the courts proceed in their own proper way and expedite a judicial settlement of all the questions involved. If you let the commissions keep on ignoring the real interests of the men who have their own money at stake you will keep those roads in the hands of receivers."

Mr. Choate then took up the proposed amendments. He denounced severely the attempt of the commissions to require railroads to establish "schedules of fares and schedules of about everything else." The question of tariff schedules, Mr. Choate maintained, had no applicability to railroads. He said that the five-cent fare would remain the maximum and the minimum, and any attempt to interfere with it would arouse such a revolution in New York city as was recorded yesterday in Constantinople.

Mr. Choate maintained that everybody was satisfied with the conditions except the commissions. They were "smelling around" and declared commissions that went out and created causes of complaint and insisted upon being not only the complainants but the judges and executioners. He said they manifested the cheekiest propositions he had ever heard of.

Mr. Choate denounced the proposed amendment of joint fare and through rates. He urged that the commissions did not stop to consider whether any action they might unanimously and defiantly agree upon was confactory or not. It was right as long as it suited the commissions.

"They want to substitute themselves for the charter of the companies," declared Mr. Choate. President Post said his association represented a large number of corporations, firms and individuals engaged in the manufacture of machinery, tools, equipment and in this State and that this industry had been badly prostrated during the last eighteen months. He said the purchasing power of the railroads had been badly shriveled, that the earnings of the corporations he represented had shrunk dreadfully and that of the 375,000 men employed in these industries before the panic a year ago nearly 90,000 of them still were idle. Figuring the 90,000 men out of work at only \$2 a day, this meant \$180,000 a day loss to the merchants of the State because of the prostration of industries dependent upon the railroads. He said the public interest would be served by a temporary cessation at least of further experimental legislation as proposed in the public service law amendments. He thought the powers now bestowed on the commissions should be thoroughly tried out before any additional power should be granted them.

"We do not criticize the mental equipment or capacity generally of the members of the Public Service Commission," he said, "but they are not men deeply versed in the science of transportation. Most of the knowledge they possess on this question they have acquired since assuming office and yet a railroad man is trained for a score of years before he is permitted to manage a railroad. The commissions are all comparatively new to this gigantic work. They are not men clothed with such plenary power over our railroads as may give any thoughtful conscientious man pause for contemplation, and they have had but very brief experience in the exercise of such powers."

It is therefore too much to say that in a serious question whether in two short years, the Public Service Commission may be ready, any man previously untutored in railroad affairs, can so profound a railroad specialist that he is ripe for the bestowal on him of omnipotence in all railroad matters? "We do not care to discuss with you the details of the proposed enlargement of the powers of the commissions. We are not prepared to say that they are wrong essentially and that such powers should never be granted them. Our

contention is that whatever they are they cannot be of any such importance as would warrant their being piled upon the pyramid of their present powers in the wielding of which they are yet novices. Any augmentation of the powers of the commissions over railroads at this time will surely add to the complexities of a situation now replete with undigested novelties in legislation and will surely tend to disquiet those to whom railroads must look for money to carry on their plans of improvement and expansion.

"If the Legislature of the State of New York will adjourn in this year, 1909, without having placed any new restrictions upon railroads or indulging in any experimental or purely anticipatory legislation at their expense there will be hope where there is now fear among the unemployed, confidence where now is distrust among investors and an example will be set of legislative moderation that will go a long way toward bringing back prosperity."

## HOPE FOR SUBWAY BILLS.

Commissioner Eastis Confident That New Legislation Will Pass.

Commissioner Eastis of the Public Service Commission, who returned from Albany yesterday after attending the legislative hearings on the new rapid transit bill, said yesterday that he was confident that the measures would pass both houses.

"I am certain," he said, "that the disposition of the majority of the members of the Legislature is to give this city the new subway legislation which we are asking for. My information leads me to believe that the constitutional amendment exempting subway bonds will pass within a day or two and will be ready for submission to the vote of the people at the general election next fall. If I am any judge of popular sentiment, there is little doubt that it will be approved at the referendum."

"I was also assured by many members of the Legislature with whom I talked that there is little opposition to the bill amending the rapid transit act so as to give the commission wider latitude in providing for the building of subways as individual enterprises and that unless the situation should change materially the bill will pass practically in its present shape."

"I noticed at the hearing which I attended yesterday that the only opposition to this bill came from the counsel of the Interborough Rapid Transit Company. This company has submitted a proposal to build second and third tracks on its elevated railroads under perpetual franchises and to extend the present subway by East and West Side lines under a franchise coterminous with the twenty-five year grant under which the present subway is operated."

"Such proposition of course is entirely beyond the provisions of the laws as they stand to-day. Representatives of many influential organizations were urgent in support of the measures, which give promise of rapid transit construction and which evidently meet with public approval generally."

## NO CHANCE FOR LOCAL OPTION.

Joint Committee Hearings on the Brackett Bill—Clergymen on Both Sides.

ALBANY, April 14.—The Senate Committee on Taxation and Retrenchment and the Assembly Excise Committee gave joint hearings to-day on the local option bill for cities introduced by Senator Brackett and Assemblyman Gray. Although the Excise Committee is abolished by the taking over of all committee bills by the Rules Committee of the Assembly, its members sat through the hearing, and the advocates and opponents of the bill were apparently unaware of the fact that the arguments directed at them could not possibly be of any use, as they have no power to consider the merits of the bill. The bill getting in any position for passage at this session have long since been lost.

During this condition of affairs, however, the opponents of the bill spent four hours denouncing it. This year the foes of local option have some ministers in their ranks. They were the Rev. J. H. Bennett, pastor of the First Baptist Church, and the Rev. Edmund Burke Smith, chaplain of the Governors Island, appeared in full uniform. He spoke particularly against abolishing the army canteen. He said only thirty-five officers out of 1,000 written to on the subject favored such reform.

Discussing the campaign being waged by the Anti-Saloon League, he said that the organization needed less scenery, fewer oratorical outbursts and more sincerity. Other clergymen who denounced the bill were the Rev. William A. Wasson of Riverhead, L. I.; Rabbi A. H. Nieto of Arverne, L. I.; the Rev. William F. Schiffeld of the Evangelical Lutheran Church, New York City; the Rev. J. H. Bennett of the same denomination of Brooklyn, the Rev. C. F. Taylor of New York, the Rev. W. T. Grommisch of Syracuse, the Rev. G. F. Miller of Albany, the Rev. John Johnson of the Swedish Augustinian Synod of New York, the Rev. R. C. Cannon of the Colored Methodist Church, New York, and the Rev. W. K. Kipp of New York. They argued that local option was neither practical nor beneficial to the people.

Lined up against these clergymen were the Rev. J. A. Patterson of the Anti-Saloon League, New York, who exhibited a large map in which he pointed out that prohibition had gained thirty-nine new localities during the last year; the Rev. William L. Sautelle of New York, the Rev. C. F. Creighton of Buffalo, the Rev. W. C. Ziehm of Rensselaer, the Rev. P. A. C. of Buffalo, the Rev. Dr. Wourris of Syracuse, the Rev. E. E. Hickman of Jamestown, the Rev. C. W. Heiser of Albany and W. J. Palmer, a lumberman of Tonawanda. Mr. Palmer maintained that the Brackett-Gray bill, giving the cities the right to judge for themselves whether liquor should be sold, was the best local option measure ever suggested to any Legislature and ought to pass.

William Foster, attorney for the brewers, said that the brewers were willing to cooperate with any organization to abolish the cheap and vile saloon and elevate generally the conduct of the business.

The Assembly passed Assemblyman De Groot's bill making the office of the Sheriff of Queens salaried, also Assemblyman J. S. Parkerson's bill creating a new State Department of Industries and Immigration.

Assemblyman Francis of Manhattan made two additional unsuccessful attempts to-day to introduce Herbert Parsons's direct primary bill in the Assembly. There is no serious intention of having the bill pushed, but Mr. Parsons would like to have the State print it so that it could be circulated during the agitation for and against the Governor's scheme in the summer campaign.

On Monday night again on Tuesday the bill was introduced to introduce the bill. Unanimous consent is necessary at this stage of the session. Assemblyman Cuvillier objected on each occasion and the bill was returned to Mr. Francis. To-day Mr. Cuvillier said he would withdraw his objection. Assemblyman Eagleston objected that if Francis wanted to get the bill introduced he ought to consult the minority leader, not Cuvillier. For that reason Eagleston objected.

The bill was again returned to Mr. Francis. Then he talked confidentially with Eagleston. The latter got up and said he would withdraw. Again the Parsons bill went to the desk. This time Assemblyman Hammond of Onondaga objected. The bill was hustled back again to Francis and he sat down disgusted.

Senator Wright's bill giving to the White Plains trustees shall have authority over the fire department the same as if the village law applied and was part of the White Plains charter.

**Benefit for Holy Name Bowery Mission.** A benefit concert will be given Sunday evening next at the Circle Theatre for the Holy Name Mission on the Bowery, of which Father Evers is director. Tickets are for sale at the box office of the theatre and boxes are for sale at the rectory, 29 City Hall place.

# Four More Express Tracks for the Bronx

There are now three express tracks serving the Bronx.

We ask to be allowed to build four more:

- 1—A two-track express subway from 42d Street to the Bronx on the East Side.
- 2—A two-track express subway from 42d Street to the Battery on the West Side.

The need is for express subways. At first these two new subways will be but two-tracked. Later, when traffic warrants, they will be four-tracked for local business.

- 3—An express track on both the Second and Third Avenue elevated lines.

These improvements will cost \$50,000,000.00.

We ask to build them at our expense.

And, when our present subway lease with the city expires, we will turn the new subways over to be the city's property, FREE.

The proposal which we make is the only one which insures adequate transit facilities promptly.

It does not involve the city in a penny of obligation, investment, risk.

Our proposal in writing is now before the proper authorities. The plans of our engineers are finished.

We are anxious to do our utmost to relieve the congestion which now exists, and to prevent worse congestion which otherwise is sure to come.

We are ready to ACT.

INTERBOROUGH RAPID TRANSIT COMPANY  
Theodore P. Shonts, President.

## TO CHANGE PRIMARY BILL

ITS AUTHOR MOVES UNIMPORTANT AMENDMENTS.

Effort to Be Made To-day to Get the Telephone and Telegraph Bill Out of Committee on Rules—Attempt to Offer Parsons's Direct Primary Bill Falls.

ALBANY, April 14.—In the Assembly to-day Chairman Jesse S. Phillips of the Judiciary Committee, which killed Gov. Hughes's direct primary bill in the lower house and reported favorably the organization's measure, had the latter bill amended in unimportant particulars. The only material amendment to the bill making clearer who the custodian of primary records in each county will be. The bill will have to be reprinted, and this will in all probability prevent any consideration of this phase of primary legislation in the Assembly this week.

Assemblyman Cuvillier of New York, who has introduced 178 bills in the Legislature, got the first one passed in the Assembly to-day. The measure prohibits policemen in New York city from carrying blackjacks. Mr. Cuvillier had Detective Alexander Benton on charges of using a blackjack on a prisoner, and he says the bill is the outcome of that case. The measure passed by a vote of 85 yeas to 27 nays.

Assemblyman William M. Bennett (Rep., Manhattan) to-day served notice that to-morrow he would move to suspend the rules to permit him to move for the discharge of the Rules Committee from further consideration of the bill to put the telephone and telegraph companies under the control of the Public Service Commission. Mr. Bennett's motion to discharge the Committee on Water, Gas and Electricity from further consideration of this bill before it went into the Rules Committee precipitated the discussion in the Assembly last week when Mr. Parsons's direct primary bill was introduced. Mr. Bennett's motion to discharge the Committee on Water, Gas and Electricity from further consideration of this bill before it went into the Rules Committee precipitated the discussion in the Assembly last week when Mr. Parsons's direct primary bill was introduced.

Assemblyman McInerney of Rochester to-day introduced a bill inspired by the serious fire yesterday in his home city. The measure makes the penalty for arson in the first degree life imprisonment instead of forty years; for arson, second degree, forty instead of twenty-five years; and third degree, twenty-five instead of fifteen years.

The prevalence of serious fires such as we experienced yesterday," declared Mr. McInerney, "demands that we take great precautions against persons who have no respect for either property or life and who are bent on destruction."

The Assembly passed Assemblyman De Groot's bill making the office of the Sheriff of Queens salaried, also Assemblyman J. S. Parkerson's bill creating a new State Department of Industries and Immigration.

Assemblyman Francis of Manhattan made two additional unsuccessful attempts to-day to introduce Herbert Parsons's direct primary bill in the Assembly. There is no serious intention of having the bill pushed, but Mr. Parsons would like to have the State print it so that it could be circulated during the agitation for and against the Governor's scheme in the summer campaign.

On Monday night again on Tuesday the bill was introduced to introduce the bill. Unanimous consent is necessary at this stage of the session. Assemblyman Cuvillier objected on each occasion and the bill was returned to Mr. Francis. To-day Mr. Cuvillier said he would withdraw his objection. Assemblyman Eagleston objected that if Francis wanted to get the bill introduced he ought to consult the minority leader, not Cuvillier. For that reason Eagleston objected.

The bill was again returned to Mr. Francis. Then he talked confidentially with Eagleston. The latter got up and said he would withdraw. Again the Parsons bill went to the desk. This time Assemblyman Hammond of Onondaga objected. The bill was hustled back again to Francis and he sat down disgusted.

Senator Wright's bill giving to the White Plains trustees shall have authority over the fire department the same as if the village law applied and was part of the White Plains charter.

## IVINS CHARTER NEXT YEAR.

Joint Legislative Committee to Hold Hearings in the Summer and Fall.

ALBANY, April 14.—After careful consideration the Republican legislative leaders have adopted a policy regarding the New York city Charter prepared by the Ivins commission. A resolution will be introduced in the Senate and Assembly to-morrow providing for the appointment of a joint legislative committee of Senators and Assemblymen, to be appointed by Speaker Wadsworth and Lieut.-Gov. White, to hold hearings on the Charter during the summer and fall and to have the Charter in shape for passage when the Legislature meets in regular session next January.

The Ivins commission has been at work on the Charter for over two years, and half of it, the administrative code, is as yet unfinished. The commission apparently expected the Legislature to accept their new Charter without question. The hearings so far had on the Charter by the City Committees of the Senate and Assembly show that there is general and radical opposition to many of its new features. Even if the administrative code was ready the Charter and the code would require three or four months consideration before it could be perfected for passage by the Legislature if it should be decided to pass it. There is almost a united opposition to the Charter in Brooklyn and much opposition in the Bronx, Richmond and Queens.

Chairman Timothy L. Woodruff of the Republican State Committee is strongly opposed to many of its essential provisions. Mr. Ivins is working hard on his administrative code and hopes to have it ready by about the time the Legislature adjourns. It is Mr. Ivins's intention to ask Gov. Hughes to call a special session of the Legislature for the month of May to pass the Charter, but this action on the part of the Legislature in appointing a special joint legislative committee to consider the Charter and report to the next Legislature will make it impossible for Gov. Hughes to call an extra session to consider the Charter.

Assemblyman Wood, chairman of the Assembly Health Committee, said that both bills ought to pass in order to give Gov. Hughes the opportunity of settling the trouble of the pharmacists by approving a marriage license, her affidavit to be sufficient.

The Assembly passed, by a vote of 81 yeas to 40 nays, the bill of Assemblyman Conklin abolishing the State Board of Pharmacy and authorizing the appointment by the Governor of nine instead of the present fifteen members to constitute the board.

Assemblyman Wood's bill for a new court house in Kings county also passed the Assembly.

## BIG TIM ASTONISHES SENATE.

Introduces a Bill for the Initiative and Referendum.

ALBANY, April 14.—Big Tim Sullivan astonished the Senate today when he introduced a bill providing for the initiative, the referendum, and the recall of elective officers. The advancement of these theories usually in the Western States has followed in the wake of the enactment of direct nominations legislation.

"I suggest that the bill be laid on the table until after the Governor's direct nominations bill is passed," remarked Senator John Raines, the Republican floor leader.

"I have no objection provided the direct nominations bill is laid on the table with it," laughingly retorted Big Tim.

There was a general laugh around the Senate circle over the introduction of the bill by "the big fellow." Big Tim said he received the bill from the organization which had been similar measure in the Western States.

## STATE PENSION FOR VETERANS.

Bill Providing for It Favorably Reported to the Senate.

ALBANY, April 14.—It looks as though the civil war veterans in this State will get legislation this year giving them a State pension. This question has been before the Legislature for some years, but not until this session has it had the backing of the State department of the G. A. R. To-day the Senate Finance Committee reported favorably, and it was ordered to a third reading in the Senate. The bill of Senator Allen giving civil war veterans over 62 years of age a pension of \$6 a month, where they have been residents of the State three years previous to applying for the pension and who were enlisted from the State. It would cost about \$2,000,000 a year to pay these pensions and the people at next fall's election and vote on proposition to issue \$2,000,000 in State bonds to pay for these pensions for the first year. After that the money will be raised by a direct State tax. A State commissioner of pensions at a salary of \$1,000 a year and a deputy commissioner of pensions at a salary of \$2,000 are to be appointed by the Governor.

**New Bill to Abolish the Quarantine Commissioners.**

ALBANY, April 14.—Senator Jotham P. Allds to-day introduced a bill abolishing the Quarantine Commission and turning the work over to Dr. Alvah H. Doty, the Health Officer of the Port of New York. All of the Quarantine Commissioners except one are out of office, either through death or otherwise.

For two years past the Governor has recommended doing away with the Quarantine Commission, but the Republican State organization has prevented the passage of such legislation.

## B. Altman & Co.

SUMMER FLOOR COVERINGS

A COMPREHENSIVE STOCK OF MODERATELY-PRICED RUGS, ESPECIALLY SELECTED FOR USE IN SUMMER COTTAGES, INCLUDING THE FOLLOWING ATTRACTIVE FEATURES:

IMPORTED AND DOMESTIC ART SQUARES, BRUSSELS RUGS IN DELICATE COLORINGS, HOMESPUN OF EXCLUSIVE QUALITIES, PORCH RUGS IN FIBRE, GRASS AND WOOL, ALSO A COMPLETE LINE OF WILTON & AXMINSTER RUGS. ORIENTAL RUGS IN EXTRA LARGE SIZES.

FURNITURE SLIP COVERS MADE TO ORDER

AT MODERATE PRICES

FROM A VARIETY OF THE MOST APPROPRIATE MATERIALS, INCLUDING FRENCH AND ENGLISH CRETONNES, DIMITY, COTTON DAMASK, SWANSDOWN AND BELGIAN LINEN.

A LARGE SELECTION OF WOVEN HAMMOCKS.

COUCH HAMMOCKS.

AWNINGS, WINDOW AND PORCH SHADES.

## B. Altman & Co.

STORAGE OF RUGS, DRAPERIES AND FURS

RUGS AND DRAPERIES, FURS AND FUR GARMENTS RECEIVED FOR STORAGE DURING THE SUMMER MONTHS, THE MOST APPROVED METHODS BEING USED FOR THE SAFE-KEEPING THEREOF.

WHEN ARRANGING FOR STORAGE, IT IS RECOMMENDED THAT ORDERS BE PLACED FOR CONTEMPLATED ALTERATIONS AND REPAIRS IN FUR GARMENTS, THE CLEANING AND REPAIRING OF RUGS AND ALTERING OF DRAPERIES.

LACE CURTAINS CLEANED AND STORED.

34th Street, 35th Street and 5th Avenue.


## TO LICENSE TICKET AGENTS.

Sensor Agnew's Bill Favorably Reported to the Senate.

ALBANY, April 14.—Senator Agnew's bill requiring ticket agents to procure a license from the Mayor was reported favorably by the Senate Cities Committee to-day and ordered to a third reading in the Senate. The bill requires all such ticket brokers to wear badges not less than two inches in diameter, bearing numbers corresponding with

their licenses. The so-called better element of the theatrical ticket manipulation in Manhattan are behind the bill. They insist that it will prevent the unscrupulous ticket sellers from doing business.

**Indianapolis Accepts Carnegie Libraries.** INDIANAPOLIS, April 14.—Andrew Carnegie's offer of \$120,000 for six branch library buildings has been accepted by the School Board and the city, and possibly more of the buildings may be built this year.



# LIGHT CELESTINE

(FRENCH REPUBLIC PROPERTY)

## Natural Alkaline Water

Unexcelled for table use.  
Standard remedy for Dyspepsia, Stomach Troubles and Gout.

Ask your Physician

# CELESTINE

Not Genuine without the word



## "THE DOUBLE TRACK SCENIC HIGHWAY"

AS THE

# LEHIGH VALLEY RAILROAD

is known, is famed for its varied and entrancing scenery between New York and Buffalo and Niagara Falls.

## FARE NEW YORK TO BUFFALO, \$8

## The BLACK DIAMOND EXPRESS

affords every opportunity to enjoy both the magnificent scenery and the luxurious comforts of the HANDSOME DAY TRAIN IN THE WORLD.

It is equipped with Dining Car (service à la carte), Buffet, Library-Smoking Car, Coaches and Observation Parlor Car, and leaves New York daily at Noon.

Other through trains are as follows:

The Buffalo Express leaves New York	7:40 A.M.
It will leave Buffalo for New York	5:40 P.M.
The Chicago-Toronto Express	7:40 P.M.
The Buffalo Train	7:45 P.M.

Time shown is from West 23d Street.

### Lehigh Valley Ticket Offices:

1450 and 355 Broadway, New York.  
Pennsylvania Ferries,  
325 Fulton Street, Brooklyn.  
211 Market Street, Newark.

## Hunyadi Janos

Best Natural Laxative Water

This standard and popular aperient water is the best remedy for indigestion and irregularities of the bowels and stomach. It is so well and favorably known that it needs no introduction—that it has been used so long and so extensively is its best recommendation. It acts quickly and surely, but without gentleness, and leaves no unpleasant bad after effects. Try it yourself when you suffer from

## CONSTIPATION

The World's Standard

Since 1847, the world's standard of fine silverplate has been set by pieces marked

"1847 ROGERS BROS."

With this name in mind you will be sure of getting the heavy grade of silverplate.

Best tea sets, dishes, waiters, etc., are stamped

MERIDEN SILVER CO. SOLD BY LEADING DEALERS "Silver Plate that Wears"